



Order Filed on February 26, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Robertson, Anschutz & Schneid, PL
6409 Congress Avenue, Suite 100
Boca Raton, FL 33487
Telephone No.: 973-575-0707 (local)
Telephone No.: 561-241-6901 (main)
Attorneys for Secured Creditor for

Harold N. Kaplan (HK-0226)

In Re:

Noe J. Hogdson, Sr. aka Noe J. Hogdson,

Debtor.

Case No.: 17-24425-ABA

Chapter: 13


Hearing Date: March 19, 2019

Judge: Andrew B. Altenburg Jr.

**AGREED ORDER RESOLVING SECURED CREDITOR'S CERTIFICATION OF
DEFAULT**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: February 26, 2019


Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Secured Creditor: U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MORGAN STANLEY MORTGAGE LOAN TRUST 2007-8XS, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007

Secured Creditor's Counsel: Robertson, Anschutz & Schneid, PL

Debtors' Counsel: Stacey L. Mullen, Esq.

Property Involved ("Collateral"): 117 Terrace Avenue, Camden, New Jersey 08105

Relief sought:

- ☒ Motion for relief from the automatic stay/Certification of Default
- ☐ Motion to dismiss
- ☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is ORDERED that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:
 - The Debtor is overdue for 3 months from 12/01/2018 through 02/01/2019.
 - The Debtor is overdue for 3 regular monthly mortgage payments from 12/01/2018 through 02/01/2019 at \$755.01 per month.
 - The Debtor is overdue for 03 cure payments from 11/15/2018 to 01/15/2019 at \$1,169.75 per month.

Funds Held In Suspense \$1,122.11.

Total Arrearages Due \$4,652.17

2. Debtor must cure all post-petition arrearages, as follows:
 - Immediate payment in the amount of \$1,510.02 shall be made on or before 02/28/2019.
 - Payment in the amount of \$3,142.15 shall be made on or before 03/04/2019.
 - Beginning on 03/01/2019, regular monthly mortgage payments shall continue to be made in the amount of \$755.01.

3. Payments to the Secured Creditor shall be made to the following address(es):

■ Regular monthly payment: Ocwen Loan Servicing, LLC
ATTN: Cashiering Department
1661 Worthington Road, Suite 100
West Palm Beach, FL 33416-4781

■ Immediate payment: Ocwen Loan Servicing, LLC
ATTN: Cashiering Department
1661 Worthington Road, Suite 100
West Palm Beach, FL 33416-4781

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 and Chapter 7 Trustee, the Debtor(s), and Debtor(s)' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor(s)' failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

- The Applicant is awarded attorney fees of \$200.00.

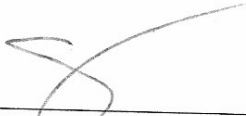
The fees and costs are payable:

- Through the Chapter 13 plan.

□ To the Secured Creditor within _____ days.

□ Attorneys' fees are not awarded.

The undersigned hereby consent to the form and entry of the foregoing order.



Stacey L. Mullen, Esq.
Attorney for Debtor(s)

Date:

2/25/19

/s/Harold N. Kaplan

Harold N. Kaplan, Esq.
Attorney for Secured Creditor

Date: 2/25/2019

Certificate of Notice Page 5 of 5
 United States Bankruptcy Court
 District of New Jersey

In re:
 Noe J. Hogdson, Sr.
 Debtor

Case No. 17-24425-ABA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Feb 26, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 28, 2019.

db +Noe J. Hogdson, Sr., 4712 Camden Avenue, Pennsauken, NJ 08110-2038

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 28, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 26, 2019 at the address(es) listed below:

Aleisha Candace Jennings on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION
 ajennings@rasflaw.com
 Denise E. Carlon on behalf of Creditor Morgan Stanley Mortgage Loan Trust 2007-9SL, Mortgage
 Pass-Through Certificates, Series 2007-9SL, U.S. Bank National Association, as Trustee,
 successor in interest to Bank of America, National Associa dcarlon@kmlawgroup.com,
 bkggroup@kmlawgroup.com
 Harold N. Kaplan on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION hkaplan@rasnj.com,
 informationathnk@aol.com
 Harold N. Kaplan on behalf of Creditor Morgan Stanley Mortgage Loan Trust 2007-9SL, Mortgage
 Pass-Through Certificates, Series 2007-9SL, U.S. Bank National Association, as Trustee,
 successor in interest to Bank of America, National Associa hkaplan@rasnj.com,
 informationathnk@aol.com
 Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
 Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
 summarymail@standingtrustee.com
 Kevin Gordon McDonald on behalf of Creditor Morgan Stanley Mortgage Loan Trust 2007-9SL,
 Mortgage Pass-Through Certificates, Series 2007-9SL, U.S. Bank National Association, as Trustee,
 successor in interest to Bank of America, National Associa kmcdonald@kmlawgroup.com,
 bkggroup@kmlawgroup.com
 Miriam Rosenblatt on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION bkyecf@rasflaw.com,
 mrosenblatt@rasflaw.com
 Nicholas V. Rogers on behalf of Creditor WELLS FARGO BANK, NA nj.bkecf@fedphe.com
 Sherri Jennifer Smith on behalf of Creditor WELLS FARGO BANK, NA nj.bkecf@fedphe.com,
 nj.bkecf@fedphe.com
 Sindi Mncina on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION smncina@rascrane.com
 Stacey L. Mullen on behalf of Debtor Noe J. Hogdson, Sr. slmullen@comcast.net
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 13